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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/531,781		04/15/2005	Michael Terrence Patterson	A-9512	1895	
20741	7590	09/05/2006		EXAMINER		
		ON & GITLER, P.O	BASICHAS, ALFRED			
CRYSTAL 2461 SOUT		2, SUITE 522 C STREET		ART UNIT	PAPER NUMBER	
ARLINGTO				3749		
				DATE MAILED: 09/05/2006	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Texture Examiner		Application No.	Applicant(s)	
Examiner Art Unit Alfred Basichas 3749	Office Action Summary	10/531,781		<u>:</u> L
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Estarciator of time may be availate under the provisors of 3 CFR 1.138(n) in or own, however, may a sety be timely filled the communication of the provisor of 3 CFR 1.138(n) in or own, however, may a sety be timely filled the communication of the provisor of the provis	omec Action Gammary	Examiner		
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		6) Other:	·	

Application/Control Number: 10/531,781

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DETAILED ACTION

Page 2

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species:

a. Species I -- Figs. 1-5;

b. Species II -- Figs. 6-9B;

c. Species III -- Fig. 10;

d. Species IV -- Figs. 11A,11B; and

e. Species V -- Figs. 12A,12B.

The species are independent or distinct because they include different structural elements.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

2. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

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Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Basichas whose telephone number is 571 272 4871. The examiner can normally be reached on Monday through Friday during regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571 272 4828. The fax phone numbers for the organization where this application or proceeding is assigned are 571 273 8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center telephone number is 571 272 3700.

August 31, 2006

Aurea Basienas Primary Examiner